



CITY OF ROCKLIN
MINUTES OF
REGULAR MEETINGS
OF THE
ROCKLIN CITY COUNCIL
AND
ROCKLIN REDEVELOPMENT AGENCY

MARCH 8, 2005

TIME: 7:30 P.M.
www.ci.rocklin.ca.us

PLACE: Council Chambers
3970 Rocklin Road

1. The Regular Meetings of the Rocklin City Council and Rocklin Redevelopment Agency convened at 7:30 p.m. Mayor/Chairman Hill presiding.
2. Mayor Hill led the Pledge of Allegiance.
3. Roll Call:

Councilmembers: Ken Yorde, Brett Storey, George Magnuson, Mayor Peter Hill - Kathy Lund was excused.

Agency Members: Mr. Yorde, Mr. Storey, Mr. Magnuson, Chairman Hill – Agency Member Lund was excused.

City Personnel: Carlos A. Urrutia, City Manager
Russell A. Hildebrand, City Attorney
Sherri Abbas, Planning Services Manager
Terry Richardson, Director of Comm. Development
Mark Riemer, Director of Comm.Serv. & Facilities
Judy LaPorte, Director of Administrative Services
Pete Guisasola, Chief Building Official
Kent Foster, Director of Public Works
Mark Siemens, Police Chief
Rob Braulik, Assistant City Manager
Cpt. Dan Ruden, RPD
Lt. Steve Newman, RPD
Lt. Dave Johnstone, RPD
Several Police Officers
Michael Rock, Public Works Operations Manager
Bill Mikesell, Fire Chief
Larry Wing, Engineering Services Manager
Sandra Davies, City Clerk

Agency Personnel: Carlos Urrutia, Executive Director
Russ Hildebrand, General Counsel

Sandra Davies, Secretary

Commissioners: Gordon Havens, Mosquito Abatement

OATH OF OFFICE:

4. Swear-In of Police Personnel

Chief Seimens said a few words and introduced Officer John Cruz who comes to us from the Los Angeles County Sheriffs Department in Lancaster.

City Clerk Sandra Davies administered the Oath of Office.

John's mom, Jeanne Cruz, pinned on his badge with help from his daughter. His dad, grandparents, and other members of his family observed.

AGENDA REVIEW:

5. Item #6 to be continued to March 22, 2005.
Item #19 to be pulled off for discussion.

CONSENT CALENDAR:

6. City Council & Redevelopment Agency Meeting Minutes of 2/22/05
Council continued this item to March 22, 2005.
7. Accounts Paid List of February 2005.
8. Building Department Monthly Inspection Report & Monthly Report/Jan. 2005
9. Comm. Serv. & Facilities Monthly Facility Rental Report/Jan. 2005
10. Fire Department Monthly Report/January 2005
11. Police Department Monthly Management Report/January 2005
12. Department of Public Works' Monthly Report/January 2005
13. Treasurer's Report of January 2005
14. Resolution No. 2005-53 of the City Council of the City of Rocklin Adopting the National Incident Management System (NIMS) as the Official Emergency Management System Used in the City of Rocklin
15. Resolution No. 2005-52 of the City Council of the City of Rocklin Declaring April 2005 as Prevent Child Abuse Month
16. Resolution No. 2005-54 of the City Council of the City of Rocklin Authorizing the City Manager to Submit Claims for Transportation Development Funds
17. Resolution No. 2005-55 of the City Council of the City of Rocklin Approving Change Order No. 6 on the Construction of Parcel 70 (Sioux Street) Community Park (Westcon Construction Corporation)

18. Resolution No. 2005-56 of the City Council of the City of Rocklin Authorizing the City Manager to Execute an Agreement with Dictaphone Corporation (Equipment Upgrade Program Agreement)

Motion to approve the Consent Calendar except for items #6 and #19 by Councilmember Storey, seconded by Councilmember Magnuson. Passed by the following roll call vote:

Ayes: Storey, Magnuson, Yorde, Hill
Nose: None
Absent: Lund
Abstain: None

19. Resolution No. 2005-57 of the City Council of the City of Rocklin Authorizing the City Manager to Execute a Developer Regulatory Agreement Including Covenants, Conditions and Restrictions Running with the Land (Reflections at Sierra College Subdivision)

Community Development Director Terry Richardson presented the staff report explaining the agreement.

Council discussed the issues of length of time of the agreement, equity sharing provision, lack of interest collection for ten years, refinancing at the end of ten years, issuance of building permit, inclusionary zoning, and not holding up the project.

Marty Steiner, representing the developer, mentioned marketing issues and concerns of not having the project held up.

City Manager Carlos Urrutia stated that this item needs to be continued to the next meeting and staff needs to revise some language. Councilmember Magnuson and Mayor Hill will work with staff on the revisions.

Motion to approve the project tonight to include the Affordable Housing Developer's Agreement so that permits can be issued for preliminary work to begin, and language revisions to the from document of the Homeowner Regulatory Agreement be brought back to the council meeting on March 22, 2005 with suggested amendments for a return of the initial developer equity to the City after the affordability period by Councilmember Yorde, seconded by Councilmember Storey. Passed by the following roll call vote:

Ayes: Yorde, Storey, Magnuson, Hill
Nose: None
Absent: Lund
Abstain: None

SPECIAL PRESENTATIONS:

20. Child Abuse Prevention Council

Executive Director Karen Owen made a brief report on the services they have provided over the past year including working with over 7,000 parents and children and through education with elementary school kids. She mentioned the Awards Banquet coming up on April 8th.

Mayor Hill presented Ms. Owen with a resolution in support of Prevent Child Abuse Month.

CITIZENS ADDRESSING THE COUNCIL:

21. None.

PUBLIC HEARINGS:

22. Resolution No. 2005-58 of the City Council of the City of Rocklin Approving a Design Review Modification (Blue Oaks Town Center Modification (RC Willey) DR-2003-02A)

Planning Services Manager Sherri Abbas presented the staff report explaining the modifications to the project.

Marv Jensen from Utah, representing the owner, made a power point presentation to introduce their building and stated that they agree with the Planning Commission to include additional landscaping to the project particularly by the loading docks and along Hwy 65. Mr. Jensen stated that their plans will be in to the city tomorrow and they hope to begin construction in mid July with their grand opening to be on Memorial Day.

Mayor Hill opened the Public Hearing. There being no public comments, Mayor Hill closed the Public Hearing.

Motion to approve by Councilmember Storey, seconded by Councilmember Magnuson. Passed by the following roll call vote:

Ayes:	Storey, Magnuson, Yorde, Hill
Nose:	None
Absent:	Lund
Abstain:	None

City Manager Carlos Urrutia acknowledged staff for their timely processing of this project.

Mayor Hill called for a brief recess at 8:20 p.m. and reconvened the meeting at 8:25 p.m.

23. Public Facilities Impact Fee

Motion to read the ordinance by title only by Councilmember Magnuson, seconded by Councilmember Yorde. Passed by the following roll call vote:

Ayes:	Magnuson, Yorde, Storey, Hill
Nose:	None
Absent:	None
Abstain:	None

Community Development Director Terry Richardson presented the staff report and mentioned that he had heard from the BIA and they had no comments about the fee and understood the City's position.

Councilmember Yorde asked what the percentage of increase would be. City Manager Carlos Urrutia stated that in some incidents it was 100 %.

Mayor Hill opened the Public Hearing.

Scott Yuill, Chamber President, made a brief statement and presented a letter of support for this fee.

There being no further public comments, Mayor Hill closed the Public Hearing.

- A. First Reading & Publication: Ordinance No. 893 of the City Council of the City of Rocklin Adopting Article VII of Chapter 3.16 Public Facilities Impact Fees of the Rocklin Municipal Code Establishing an Impact Fee for all New Development Within the City of Rocklin
- B. Resolution No. 2005-59 of the City Council of the City of Rocklin Establishing a Public Facilities Impact Fee for all Development Within the City of Rocklin

Motion to approve Ordinance No. 893 on first reading and Resolution No. 2005-59 by Councilmember Magnuson, seconded by Councilmember Storey. Passed by the following roll call vote:

Ayes:	Magnuson, Storey, Yorde, Hill
Nose:	None
Absent:	Lund
Abstain:	None

RESOLUTIONS:

24. Resolution No. 2005-60 of the City Council of the City of Rocklin Approving and Directing the City Manager to Execute Amendment No. 1 to the Reimbursement Agreement Relating to Canal Reconstruction and Grading (Reso. No. 2003-77) (M & S, LLC/Dominguez I-80 Flyover)

City Manager Carlos Urrutia presented the staff report and stated that this PG&E additional requirement cost of \$9,580 is to place the relocated canal in a protective sleeve and recommends approval.

Motion to approve by Councilmember Yorde, seconded by Councilmember Storey. Passed by the following roll call vote:

Ayes:	Yorde, Storey, Magnuson, Hill
Nose:	None
Absent:	Lund
Abstain:	None

25. Resolution No. 2005-61 of the City Council of the City of Rocklin Approving the Agreement to Participate in the Large Landscape Irrigation System Incentive Program

Motion to approve by Councilmember Magnuson, seconded by Councilmember Yorde. Passed by the following roll call vote:

Ayes:	Magnuson, Yorde, Storey, Hill
Nose:	None
Absent:	Lund
Abstain:	None

26. Bender Insurance Office Building Project

Motion to read the ordinance by title only by Councilmember Magnuson, seconded by Councilmember Storey. Passed by the following roll call vote:

Ayes:	Magnuson, Storey, Yorde, Hill
Noes:	None

Absent: Lund
Abstain: None

- A. Resolution No. 2005-62 of the City Council of the City of Rocklin Approving a Mitigated Negative Declaration of Environmental Impacts and Approving Mitigation Monitoring Program (Bender Insurance Office Building/GPA-2004-02, Z-2004-02, U-2004-18, DR-2004-12, and TRE-2004-29)

Motion to approve by Councilmember Magnuson, seconded by Councilmember Storey. Passed by the following roll call vote:

Ayes: Magnuson, Storey, Yorde, Hill
Nose: None
Absent: Lund
Abstain: None

- B. Resolution No. 2005-63 of the City Council of the City of Rocklin Approving an Amendment to the General Plan Land Use Diagram of the City of Rocklin from Medium Density Residential (MDR) to Business Professional (BP) and Recreation-Conservation (R-C) (Bender Office Insurance Building/GPA-2004-02)
- C. First Reading & Publication: Ordinance No. 894 of the City Council of the City of Rocklin Approving a General Development Plan for the Property Located Immediately South of the Intersection of China Garden Road and Monument Springs Drive that also Changes the PD Zoning from 4.5 Units/Acre (PD-4.5) to Business Professional (PD-BP) and Open Area (OA) (Bender Office Insurance Building/PDG-2004-04)
- D. Resolution No. 2005-64 of the City Council of the City of Rocklin Approving a Use Permit for Exceeding the Maximum Building Height Allowed in the Business Professional Zoning District (Bender Office Insurance Building/U-2004-18)
- E. Resolution No. 2005-65 of the City Council of the City of Rocklin Approving a Design Review and Oak Tree Preservation Plan Permit (Bender Office Insurance Building/DR-2004-12 & TRE-2004-29)

Motion to approve Ordinance No. 894 on first reading and Resolution Nos. 2005-63 through 2005-65 by Councilmember Magnuson, seconded by Councilmember Storey. Passed by the following roll call vote:

Ayes: Magnuson, Storey, Hill

Nose:	Yorde
Absent:	Lund
Abstain:	None

BID ACTION:

27. Resolution No. 2005-66 of the City Council of the City of Rocklin Awarding the Bid for One (1) Asphalt Paver

Motion to approve by Councilmember Magnuson, seconded by Councilmember Yorde. Passed by the following roll call vote:

Ayes:	Magnuson, Yorde, Storey, Hill
Nose:	None
Absent:	None
Abstain:	None

REPORTS FROM CITY OFFICIALS:

28. Report on Pacific Gas & Electric

City Attorney Russ Hildebrand reported that PG&E and City staff have resolved the need to address the impacts of the Atlantic Del Mar Reinforcement Project on City property through conditions of approval on the required encroachment permit, therefore, the MOU that was previously continued off calendar will no longer need to be brought to council. PG&E has dismissed their writ of mandate against the City for failure to issue an encroachment permit for their project.

29. Sunset Center Kitchen Flooring
30. Public Works Projects Bidding Process
31. Police and Fire Station No. 1 Monument Signs

Council concurred with all recommendations of items #29, #30, & #31.

ANNOUNCEMENTS/BRIEF REPORTS:

32. None.

FUTURE AGENDA ITEMS:

33. None

REDEVELOPMENT AGENCY ACTION:

34. Report from Executive Director – No report.

Mayor Hill adjourned the regular meeting to Closed Session at 8:38 p.m.

CLOSED SESSION:

35. Conference with Legal Counsel – Anticipated Litigation
Subdivision (b) of Section 54956.9
Property located at 3345 Midas Avenue

36. Conference with Legal Counsel – Anticipated Litigation
Subdivision (b) of Section 54956.9
Property located at 5465 Pacific Street

Mayor Hill reconvened the regular meeting at 9:08 p.m. and stated that no reportable action had been taken on either item during the Closed Session.

ADJOURNMENT:

37. Redevelopment Agency Meeting adjourned at 9:08 p.m. by Chairman Hill.
38. City Council Meeting adjourned at 9:08 p.m. by Mayor Hill.

City Clerk

APPROVED:

Peter Hill, Mayor